

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Cassandra Fenkel	Team: Squad #11	CCRB Case #: 201604120	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 05/13/2016 6:00 AM	Location of Incident: § 87(2)(b)	Precinct: 23	18 Mo. SOL 11/13/2017	EO SOL 11/13/2017	
Date/Time CV Reported Fri, 05/13/2016 10:00 AM	CV Reported At: Precinct	How CV Reported: In-person	Date/Time Received at CCRB Fri, 05/13/2016 11:08 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. DT3 Martin Campos	00176	933671	NARCBMN
2. CPT Shawn Charlson	00000	925065	NARCBMN
3. CPT Craig Edelman	00000	932592	NARCBMN

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. SGT Darrien King	02617	936870	NARCBMN

Officer(s)	Allegation	Investigator Recommendation
A.CPT Craig Edelman	Abuse: Captain Craig Edelman entered and searched § 87(2)(b) in Manhattan.	
B.DT3 Martin Campos	Discourtesy: Detective Martin Campos spoke discourteously to § 87(2)(b)	
C.DT3 Martin Campos	Abuse: Detective Martin Campos threatened to arrest § 87(2)(b)	
D.CPT Shawn Charlson	Discourtesy: Captain Shawn Charlson spoke discourteously to § 87(2)(b)	
E.DT3 Martin Campos	Abuse: Detective Martin Campos refused to provide his name to § 87(2)(b)	

Case Summary

On May 13, 2016, Sgt. George Stryko of the 25th Precinct called the IAB Command Center to report that § 87(2)(b) arrived to the 25th Precinct stationhouse to file this complaint on behalf of his son's mother, § 87(2)(b) and his two sons, § 87(2)(b) age § 87(2)(b) and § 87(2)(b) age § 87(2)(b) (Board Review 01). § 87(2)(b)'s Civilian Complaint Report was faxed to the CCRB that same day (Board Review 02). § 87(2)(b) was not present during this incident.

On May 13, 2016, at approximately 6:00 a.m., Captain Craig Edelman, Captain Shawn Charlson, Det. Mark Campos, Sgt. Darrien King, and additional officers, all from Manhattan Borough North Narcotics, entered and searched § 87(2)(b) (Allegation A). Det. Campos, identified by the investigation, allegedly told § 87(2)(b) "Calm down. You're acting like an asshole," and "Calm down or we're going to arrest you" (Allegation B, Allegation C). § 87(2)(b) told Det. Campos not to talk to his mother that way, and Captain Charlson, identified by the investigation, allegedly stated, "Something's fucking wrong with that kid. He's an asshole" (Allegation D). § 87(2)(b) grabbed a pen and paper and generally asked if she could obtain the officers' names. In response, Det. Campos took the pen and paper from § 87(2)(b) hand and allegedly said, "You're not going to get no names" (Allegation E). A grinder with marijuana was recovered pursuant to the search of the apartment (Board Review 03). No arrests or summonses resulted from this incident.

There is no video footage of the incident.

§ 87(2)(b)

This case was originally assigned to Investigator Erin Sweeny, and upon her departure from the agency, the case was reassigned to Investigator Cassandra Fenkel on June 27, 2016.

Mediation, Civil and Criminal Histories

- This case was not suitable for mediation.
- Neither § 87(2)(b) nor § 87(2)(b) have filed a lawsuit with the City of New York regarding this incident (Board Review 05).
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Civilian and Officer CCRB Histories

- This is the first CCRB complaint involving § 87(2)(b) § 87(2)(b) and § 87(2)(b) (Board Review 09).
- Captain Edelman has been a member-of-the-service for 13 years and has one prior CCRB complaint, case #201305427, involving six allegations, including stop and frisk allegations, which were substantiated. The CCRB recommended charges, but the NYPD disposition remains unknown.
- Det. Campos has been a member-of-the-service for 12 years and has three prior CCRB complaints involving five allegations, none of which have been substantiated § 87(2)(g)

- Captain Charlson has been a member-of-the-service for 16 years and has 14 prior CCRB complaints involving 31 allegations, none of which have been substantiated. Captain Charlson has two prior unsubstantiated discourtesy allegations.

Potential Issues

§ 87(2)(b) refused to allow her § 87(2)(b) -old son, § 87(2)(b) to participate in this investigation. Despite numerous contact attempts via phone, mail, and email, § 87(2)(b) was also uncooperative with this investigation (see IAs for contact attempts).

Findings and Recommendations

Explanation of Subject Officer Identification

Though Det. Roberto Cordero from Manhattan Borough North Narcotics (Board Review 10) obtained the search warrant, he denied being present for its execution. However, both the Pre-Execution Plan (Board Review 11) and officer statements confirm that Captain Edelman was the overall supervisor during the execution. § 87(2)(g)

Det. Campos (Board Review 12) identified himself as the officer who mostly conversed with § 87(2)(b). Det. Campos acknowledging the talking points described by § 87(2)(b) but described their context differently and denied using profanity. Det. Campos also acknowledged that he informed § 87(2)(b) that she could be arrested for the marijuana found in her bedroom. Additionally, though § 87(2)(b) described a general request for “officers’ names,” she alleged that Det. Campos specifically prevented her from obtaining the officers’ name, including his own.

§ 87(2)(g)

§ 87(2)(b) (Board Review 13) alleged that a white male officer in his late twenties, who stood approximately 5’3” tall, with a stocky build, dark colored hair, and tattooed arms also spoke discourteously towards her. Sgt. King (Board Review 14) identified Captain Charlson as best fitting § 87(2)(b) description. In his CCRB Interview Report Worksheet (Board Review 15), Captain Charlson described himself as a § 87(2)(b) -old white male who stands 5’7” tall, weighs 155 pounds, and has brown hair, and during his CCRB interview (Board Review 16), he confirmed that he has a tattoo on his left bicep and that he conversed with § 87(2)(b) during this incident. § 87(2)(g)

Allegations not pleaded

§ 87(2)(g)

Allegation A – Abuse of Authority: Captain Craig Edelman entered and searched § 87(2)(b) in Manhattan.

It is undisputed that officers entered and searched § 87(2)(b) in Manhattan. Article 690.50 of the Criminal Procedure Law permits officers who have obtained a valid judge-issued search warrant to enter and search the location (Board Review 17). Search warrant # § 87(2)(b) issued by Criminal Court Judge § 87(2)(b) on § 87(2)(b) authorized officers to enter § 87(2)(b) and search the location for crack, cocaine, and any and all items that are capable of holding, containing, packaging and/or dispensing crack/cocaine,

currency, any and all writings, and evidence of ownership and use of the premises (Board Review 18). § 87(2)(g)

Allegation B – Discourtesy: Detective Mark Campos spoke discourteously towards § 87(2)(b)

Allegation C – Abuse of Authority: Detective Mark Campos threatened to arrest § 87(2)(b)

Allegation D – Discourtesy: Captain Shawn Charlson spoke discourteously towards § 87(2)(b)

Allegation E – Abuse of Authority: Detective Mark Campos refused to provide his name and shield number to § 87(2)(b)

§ 87(2)(b) testified that when she exited from the shower, an officer ordered her to get dressed and get on the ground, and § 87(2)(b) asked, “How the fuck am I supposed to get dressed and get on the ground at the same time?” Det. Campos allegedly told § 87(2)(b) “Calm down, you’re acting like an asshole” and “Calm down, or we’re going to arrest you.” § 87(2)(b) told Det. Campos not to talk to his mother that way and Captain Charlson allegedly stated, “Something’s fucking wrong with that kid. He’s an asshole.” § 87(2)(b) grabbed a pen and paper and generally asked if she could obtain the officers’ names, but that Det. Campos took the pen and paper from § 87(2)(b) hand, and allegedly said, “You’re not going to get no names.”

Det. Campos testified that he spoke with § 87(2)(b) and § 87(2)(b) in the living room. § 87(2)(b) and § 87(2)(b) were upset the moment they entered the living room, as evidenced by their use of profanity. § 87(2)(b) yelled “Fuck. Fuck. You guys are always taking the good ones. What the fuck. Why are you here?” and § 87(2)(b) said, “Fuck you, Why are you here? This is my mother.” Det. Campos introduced himself as “Det Campos” and explained that he was there because of a search warrant. § 87(2)(b) and § 87(2)(b) continued to curse, and Det. Campos instructed § 87(2)(b) to “take a breather.” § 87(2)(b) began hyperventilating, and Det. Campos told her that if she did not calm down, he would call an ambulance for her.

Det. Campos denied that he told § 87(2)(b) that she was “acting like an asshole.” He acknowledged informing § 87(2)(b) at one point that she could be arrested for the grinder and marijuana that was found in her home, but he denied telling her that she would be arrested if she did not calm down. § 87(2)(b) did not have a pen and paper out at any point, and Det. Campos could not recall if she requested any officer’s name. Det. Campos denied telling § 87(2)(b) “You’re not going to get no names.”

Sgt. King and Captain Charlson § 87(2)(g) denied that any officer used profanity towards § 87(2)(b) threatened to arrest her, or refused to provide their name to her.

Captain Charlson described that § 87(2)(b) screamed and yelled, “I’m not who you’re looking for,” but he denied saying “Something’s fucking wrong with that kid. He’s an asshole” and no officer interview acknowledged hearing Captain Charlson or any other officer do so.

§ 87(2)(g)

Squad: #11

Investigator: _____
Signature Print Date

Squad Leader: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date